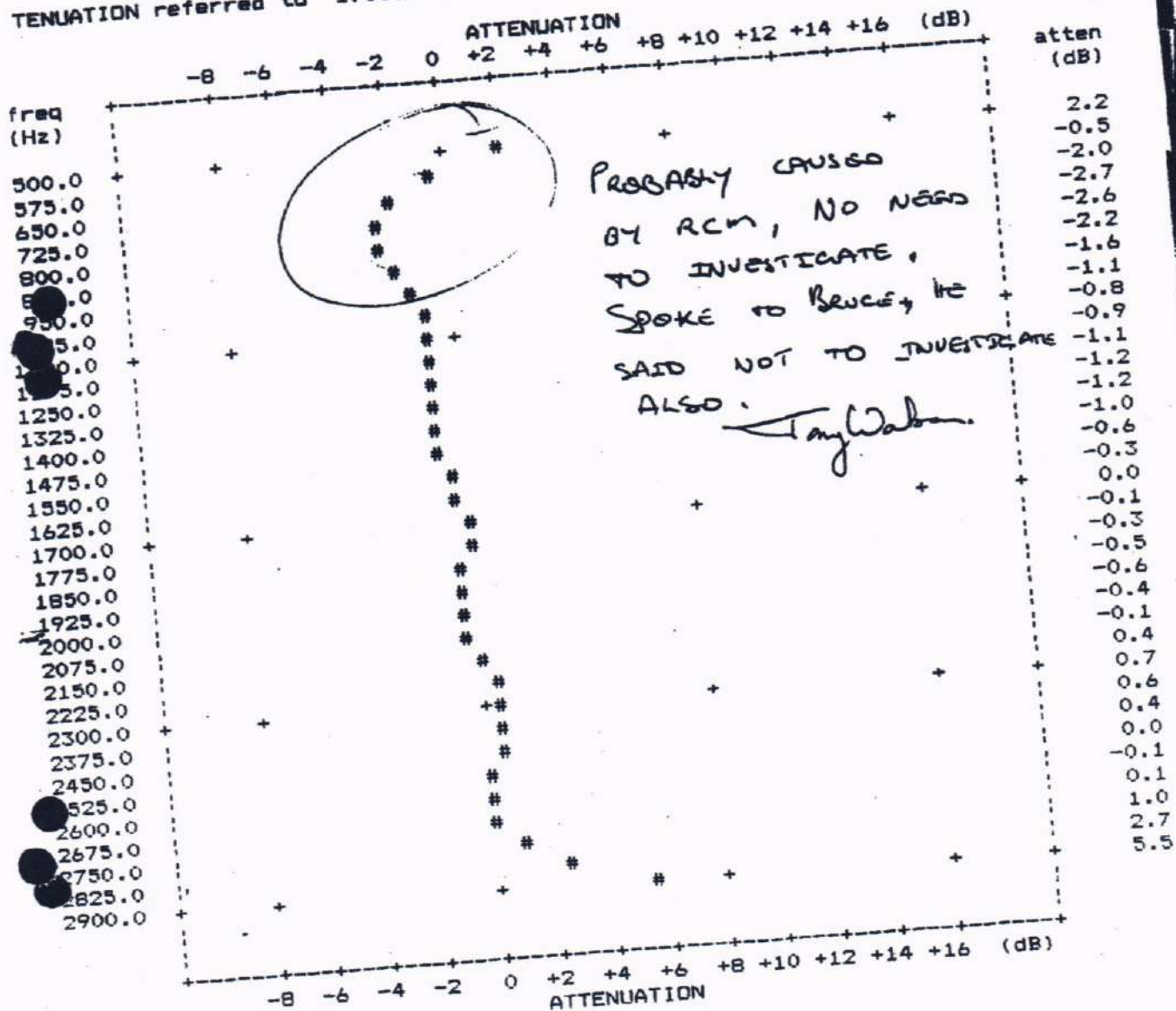


Inted: 30 Jan 1994 15:01:29

K01358

TENUATION referred to 1700.0 Hz



Telecom 31
Charging & Billing Brisbane

6th Floor, 131 Barry Parade
Fortitude Valley Qld 4006
Australia

Telephone (07) 838 6201
Facsimile (07) 832 5657

Mr Michael Elsegood
Manager
International Standards Section
AUSTEL
PO Box 7443
MELBOURNE VIC 3004

Dear Michael

ACCOUNTS OF MR A. SMITH

I refer to your letter dated 18 June 1993 requesting information relating to the accuracy of the Telecom accounts issued to Mr A. Smith (Ref. TSS/5001/05).

Q The Telecom system charges timed Telephone calls (STD and IDD) to the second, commencing when that the called party answers. On STD calls where piptones are provided, charging again is to the second, commencing 2 seconds after answer to allow for the piptones. Call duration is charged to the second.

Q Seconds, however, are not shown in the call charge start times of itemised records printed on the bill. This means that effective calls for which charging commences within the same minute are shown on the bill as having the same start time within that minute - for example, from Mr Smith's bill of 19 June 1993, for telephone number 055 267 230:

Called No.	Date	Actual Start Time	Start Time Shown on Bill	Duration
1. 050 222 622	07 June	10:00:09am	10:00am	0:07

First call completed @ 10:00:16am

2. 052 222 622	07 June	10:00:34am	10:00am	1:26
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Thus the time between completion of the first call and the start time of the second call is 18 seconds.

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CONFIDENTIAL

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2.

The omission of seconds from call charge start times shown on the bill is, I understand, a common practice by other Telephone companies in Australia and around the world. Consideration of conciseness and clear presentation are prime reasons. I must restate, however, that effective timed Telephone calls (STD and IDD) are charged accurately by Telcom to the second.

The inclusion of seconds in the start time of itemised call records on the bill would require, at substantial cost, changes to the charging and billing system and to customer service systems and, of course, to the format of the bill itself. Nonetheless, Telecom will examine the costs and benefits of providing this additional information and, towards that end, a technical feasibility study and customer research has been initiated.

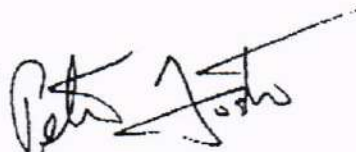
Q Turning now to the accounts of Mr Smith which you supplied, it is not possible to check the start time for all of the calls itemised on those accounts in terms of hours, minutes and seconds as the data is stored in the network only for a limited time. However, from Mr Smith's accounts, a sample of calls which appear to overlap and for which start time data in seconds are available, were analysed to determine the precise timing of events. There were no irregularities. Further, all calls on Mr Smith's bill issued on 19 June 1993 were checked and there are no call sequences that indicate overlapping calls.

The remainder of sequenced calls on Mr Smith's accounts you supplied, for which start time data in seconds are available, are now being analysed. This is a time-consuming exercise and I will advise you of the outcome when this work is completed.

It is important to note that Mr Smith's telephone service 055 267 230 is used for both originating facsimile and voice calls which accounts for the high proportion of short calls in the overall calling pattern. Since early June, Mr Smith's other service 055 267 267 is used primarily for incoming calls.

I trust the above information clarifies the matters you raised on behalf of Mr Smith. Please contact me if you have any queries or require additional information.

Yours sincerely



PETER FOSTER
General Manager
Charging & Billing - Brisbane

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Comparison of Pre Bill to WBOX Call Charge Record (CCR)

ATTACHMENT THREE

Call Date 23/6/93	Network Switch	Billing System PRE BILL
B No. - 053 31 1211	14:00:35	2:00 pm
Duration	9 secs	0:09
Completion	14:00:44	

B No. - 053 20 1200	14:00:59	2:00 pm
Duration	1076	17:56

Customer had 14:00:59 - 14:00:44 = 15 seconds to establish 2nd call.

Call Date 23/6/93	Network Switch	Billing System PRE BILL
B No. - 053 31 1211	15:44:11	3:44 pm
Duration	12 secs	0:12
Completion	15:44:23	

B No. - 053 20 1200	15:44:37	3:44 pm
Duration	72 secs	1:12

Customer had 15:44:37 - 15:44:23 = 14 seconds to establish 2nd call.

Call Date 24/6/93	Network Switch Record	Billing System PRE BILL
B No. - 03 650 3784	11:50:06	11:50am
Duration	15 secs	0:15
Completion	11:50:21	

B No. - 03 650 2771	11:50:48	11:50am
Duration	34 secs	0:34

Customer had 11:50:48 - 11:50:21 = 27 seconds to establish 2nd call.

Call Date 24/6/93	Network Switch	Billing System PRE BILL
B No. - 053 20 1366	15:54:02	3:54 pm
Duration	48 secs	0:48
Completion	15:54:50	

B No. - 058 32 9605	15:55:08	3:55 pm
Duration	168 secs	2:48

Customer had 15:55:08 - 15:54:50 = 18 seconds to establish 2nd call.

Call Date 24/6/93	Network Switch	Billing System PRE BILL
B No. - 058 32 9605	15:55:08	3:55 pm
Duration	168 secs	2:48
Completion	15:57:56	

B No. - 03 329 7355	15:58:46	3:58 pm
Duration	99 secs	1:39

Customer had 15:58:46 - 15:57:56 = 50 seconds to establish 2nd call.

Call Date 25/6/93	Network Switch	Billing System PRE BILL
B No. - 03 604 2900	09:44:14	9:44 am
Duration	198 secs	3:18
Completion	09:47:32	

B No. - 03 889 3354	09:47:54	9:47 am
Duration	152	2:32

Customer had 09:47:54 - 09:47:32 = 22 seconds to establish 2nd call.

Call Date 25/6/93	Network Switch	Billing System PRE BILL
B No. - 03 329 7355	10:17:37	10:17 am
Duration	170 secs	2:50
Completion	10:20:27	

B No. - 02 438 3433	10:20:50	10:20 am
Duration	50 secs	0:50

Customer had 10:20:50 - 10:20:27 = 23 seconds to establish 2nd call.

Call Date 6/7/93	Network Switch Record	Billing System PRE BILL
B No. - 03 889 3354	15:05:14	3:05 pm
Duration	49 secs	0:49
Completion	15:06:03	

B No. - 03 889 7693	15:06:49	3:06 pm
Duration	59 secs	0:59

Customer had 15:06:49 - 15:06:03 = 46 seconds to establish 2nd call.

Call Date 7/7/93	Network Switch Record	Billing Systems PRE BILL
B No. - 07 852 1711	13:23:09	1:23 pm
Duration	53 secs	0:53
Completion	13:24:02	

B No. - 03 889 3543	13:24:37	1:24 pm
Duration	96 secs	1:36

Customer had 13:24:37 - 13:24:02=35 seconds to establish 2nd call.

Call Date 7/7/93	Network Switch	Billing System PRE BILL
B No. - 03 329 7355	17:41:12	5:41 pm
Duration	421 secs	7:01
Completion	17:48:13	

B No. - 053 44 8367	17:48:38	5:48 pm
Duration	18 secs	0:18

Customer had 17:48:38 - 17:48:13=25 seconds to establish 2nd call

Call Date 8/7/93	Network Switch	Billing System PRE BILL
B No. - 07 377 5209	06:52:00	6:52 am
Duration	128	2:08
Completion	06:54:08	

B No. - 053 44 8367	06:54:39	6:54 am
Duration	61 secs	1:01

Customer had 06:54:39 - 06:54:08 = 31 seconds to establish 2nd call.

Call Date 11/7/93	Network Switch	Billing System PRE BILL
B No. - 03 850 4638	13:06:20	1:06 pm
Duration	66 secs	1:06
Completion	13:07:26	

B No. - 03 889 5020	13:07:41	1:07 pm
Duration	51 secs	0:51

Customer had 13:07:41 - 13:07:26 = 15 seconds to establish 2nd call.

Call Date 12/7/93	Network Switch	Billing System PRE BILL
B No. - 03 568 1824	19:00:25	7:00 pm
Duration	94 secs	1:34
Completion	19:01:59	

B No. - 03 827 5227	19:02:26	7:02 pm
Duration	12 secs	0:12

Customer had 19:02:26 - 19:01:59 = 27 seconds to establish 2nd call.

Call Date 12/7/93	Network Switch	Billing System PRE BILL
B No. - 03 827 5227	19:02:26	7:02 pm
Duration	12 secs	0:12
Completion	19:02:38	

B No. - 03 509 1336	19:02:57	7:02 pm
Duration	455 secs	7:35

Customer had 19:02:57 - 19:02:38 = 19 seconds to establish 2nd call.

Call Date 13/7/93	Network Switch	Billing System PRE BILL
B No. - 08 280 8875	10:37:36	10:37 am
Duration	53 secs	0:53
Completion	10:38:29	

B No. - 08 280 8322	10:38:47	10:38 am
Duration	109 sec	1:49

Customer had 10:38:47 - 10:38:29 = 18 seconds to establish 2nd call.

Call Date 13/7/93	Network Switch	Billing System PRE BILL
B No. - 03 828 7450	11:04:09	11:04 am
Duration	46 secs	0:46
Completion	11:04:55	

B No. - 03 828 7342	11:05:22	11:05 am
Duration	114 secs	1:54

Customer had 11:05:22 - 11:04:55 = 27 seconds to establish 2nd call.

Call Date 13/7/93	Network Switch	Billing System PRE BILL
B No. - 03 614 3911	11:51:03	11:51 am
Duration	9 secs	0:09
Completion	11:51:12	

B No. - 03 616 4333	11:51:41	11:51 am
Duration	238 secs	3:58

Customer had 11:51:41 - 11:51:12 = 29 seconds to establish 2nd call.

Call Date 14/7/93	Network Switch	Billing System PRE BILL
B No. - 07 852 1711	15:02:01	3:02 pm
Duration	321 secs	5:21
Completion	15:07:22	

B No. - 07 864 8880	15:07:57	3:07 pm
Duration	54 secs	0:54

Customer had 15:07:57 - 15:07:22 = 35 seconds to establish 2nd call.

Call Date 16/7/93	Network Switch	Billing System PRE BILL
B No. - 03 650 3784	09:58:01	9:58 am
Duration	112 secs	1:52
Completion	09:59:53	

B No. - 03 650 3784	10:00:40	10:00 am
Duration	118 secs	1:58

Customer had 10:00:40 - 09:59:53 = 47 seconds to establish 2nd call.

Call Date 19/7/93	Network Switch	Billing System PRE BILL
B No. - 03 799 2102	18:07:09	6:07 pm
Duration	64 secs	1:04
Completion	18:08:13	

B No. - 087 25 8740	18:08:57	6:08 pm
Duration	109 secs	1:49

Customer had 18:08:57 - 18:08:13 = 44 seconds to establish 2nd call.

Call Date 29/7/93	Network Switch	Billing System PRE BILL
B No. - 06 274 7111	12:23:06	12:23 pm
Duration	150 secs	2:30
Completion	12:25:36	

B No. - 06 277 7440	12:25:55	12:25 pm
Duration	116 secs	1:56

Customer had 12:25:55 - 12:25:36 = 19 seconds to establish 2nd call.

Call Date 31/7/93	Network Switch	Billing System PRE BILL
B No. - 03 328 4462	14:24:31	2:24 pm
Duration	229 secs	3:49
Completion	14:28:20	

B No. - 03 329 7355	14:28:59	2:28 pm
Duration	156 secs	2:36

Customer had 14:28:59 - 14:28:20 = 39 seconds to establish 2nd call.

Call Date 2/8/93	Network Switch	Billing System PRE BILL
B No. - 03 329 7355	10:01:25	10:01 am
Duration	179 secs	2:59
Completion	10:04:24	

B No. - 03 672 5555	10:04:44	10:04 am
Duration	524 secs	8:44

Customer had 10:04:44 - 10:04 24 = 20 seconds to establish 2nd call.

Call Date 3/8/93	Network Switch	Billing System PRE BILL
B No. - 06 277 7111	08:55:01	8:55 am
Duration	166 secs	2:46
Completion	08:57:47	

B No. - 06 273 3133	08:58:07	8:58 am
Duration	100 secs	1:40

Customer had 08:58:07 - 08:57:47 = 20 seconds to establish 2nd call.

Comparison of Pre Bill to WBOX Call Charge Record (CCR)

Call Date 23/6/93	Network Switch	Billing System PRE BILL
B No. - 053 31 1211	14:00:35	2:00 pm
Duration	9 secs	0:09
Completion	14:00:44	

B No. - 053 20 1200	14:00:59	2:00 pm
Duration	1076	17:56

Customer had 14:00:59 - 14:00:44 = 15 seconds to establish 2nd call.

Call Date 23/6/93	Network Switch	Billing System PRE BILL
B No. - 053 31 1211	15:44:11	3:44 pm
Duration	12 secs	0:12
Completion	15:44:23	

B No. - 053 20 1200	15:44:37	3:44 pm
Duration	72 secs	1:12

Customer had 15:44:37 - 15:44:23 = 14 seconds to establish 2nd call.

Call Date 24/6/93	Network Switch Record	Billing System PRE BILL
B No. - 03 650 3784	11:50:06	11:50am
Duration	15 secs	0:15
Completion	11:50:21	

B No. - 03 650 2771	11:50:48	11:50am
Duration	34 secs	0:34

Customer had 11:50:48 - 11:50:21 = 27 seconds to establish 2nd call.

Call Date 24/6/93	Network Switch	Billing System PRE BILL
B No. - 053 20 1366	15:54:02	3:54 pm
Duration	48 secs	0:48
Completion	15:54:50	

B No. - 058 32 9605	15:55:08	3:55 pm
Duration	168 secs	2:48

Customer had 15:55:08 - 15:54:50 = 18 seconds to establish 2nd call.

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Call Date 3/8/93	Network Switch	Billing System PRE BILL
B No. - 03 329 7355	13:00:14	1:00 pm
Duration	56 secs	0:56
Completion	13:01:10	

B No. - 07 852 1711	13:01:44	1:01 pm
Duration	48 secs	0:48

Customer had 13:01:44 - 13:01:10 = 34 seconds to establish 2nd call.



AUSTRALIAN TELECOMMUNICATIONS AUTHORITY

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92/0596(8)

6 January 1994

Mr S Black
Group General Manager -
Customer Affairs
TELECOM.

Facsimile No: (03) 634 8444

Dear Mr Black

COT Cases - Mr A Smith

You are probably aware of Mr Smith's ongoing complaints as to the efficacy of his 008 service - he maintains that many callers receive a RVA advising that the number is no longer connected. This has been an issue in the Bell Canada study.

Further to that point is the experience of the Portland Tourist Information Centre which is now complaining of precisely the same problem. It is understood that these issues gained prominence after a considerable incidence of problems from various points throughout Australia following a nation-wide promotion of south western Victoria. A copy of a fax from the Centre is attached. You may wish to consider this issue further.

Yours sincerely

John MacMahon
General Manager
Consumer Affairs

Encl:

12

92/0596(8)

27 January 1994

Mr S Black
Group General Manager -Customer Affairs
TELECOM

Facsimile No: (03) 632 3241

Dear Mr Black

ISSUES RAISED BY MR ALAN SMITH - CAPE BRIDGEWATER HOLIDAY CAMP

Mr Alan Smith has recently raised a number of issues relating to his service generally and to his 008 service. AUSTEL requests that you investigate and report on the issues raised by Mr Smith as detailed below. The 008 issues relate to the period covered by Mr Smith's most recent bill. A copy of the relevant page of this bill is attached with this letter.

- (1) Mr Smith's 008 bill records 4 calls made on 5 January 1994 from the origin 05521. These call were made between 4.29 & 4.39 pm. Mr Smith states that he did not receive these calls. He has investigated the matter himself and established that the calls were made from 055 212 671, being the facsimile number of the Portland Tourist Bureau. Evidently the Manager of the Tourist Bureau, Ms Burch, tried to send a facsimile to Mr Smith on the wrong number. Mr Smith states he did not receive these calls on the date and time in question, and is adamant that no calls with a fax tone were answered by him on this date. He is 95% sure that his phone did not ring on the date and time in question.

In responding to this issue, can you please address the possibility that calls may have been incorrectly switched elsewhere in the network than Cape Bridgewater Holiday Camp, and that the charging system servicing Mr Smith is operating inaccurately.

- (2) Mr Smith's 008 bill records 3 calls made on 13 January 1994 around 1.50 pm from the origin 03 580. These calls were all of short duration, being respectively of 4, 8 and 20 seconds duration. Mr Smith has stated that Tina Velthuyzen (telephone number 03 580 4710) rang Mr Smith once on his 008 number on 13 January around 1.50 pm, conversing for approximately 10 minutes. (Two calls were also made by Ms Velthuyzen at 11.38 am and 11.46 on 13 January - there is no dispute with these calls.) Mr Smith has

5 QUEENS ROAD, MELBOURNE, VICTORIA
POSTAL: P.O. BOX 7443, ST KILDA RD, MELBOURNE, VICTORIA, 3004
TELEPHONE: (03) 828 7300 FACSIMILE: (03) 820 3021

12

stated that Ms Velthuyzen will corroborate his statement of the call made at 1.50 pm. Mr Smith is concerned with the integrity of the 008 billing system, as the bill data does not correspond with Ms Velthuyzen's and his recollection of calls made at this time.

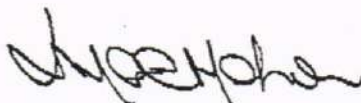
- (3) Mr Smith's 008 bill records a call made on 16 January at 7.23 pm of duration 16 minutes 24 seconds. Smith said he has no recollection of this call and questions whether it was made.

In responding to this issue, can you please provide the full telephone number of the party making the call to Cape Bridgewater at this time and date.

- (4) Mr Smith has also sought advice as to whether his service has been subject to either recording or voice monitoring at any time and, if so, when and for what purpose.
- (5) Mr Smith is preparing his fast track settlement claim. An aspect of this apparently involves the identification of two test calls included in a previous bill. At Mr Smith's request the identification of the Telecom personnel who made these calls was sought by AUSTEL in a letter dated 15 October 1993 but was declined by Mr Pinel on the grounds "that further detail as to the purpose and intent of this information" was required before identification would be considered. (Letter dated 8 November 1993.) Regardless of the rights or wrongs of that decision, Mr Smith now seeks a statement from Telecom that its personnel did make these calls at the time and for the duration shown - for this purpose the identification of the personnel is not required.
- (6) Finally, regarding the ELMI tape left inadvertently at his premises, Mr Smith has asked the significance of the arrows drawn on the tape and for a statement of the quality of service for the seven days in question.

Can you please respond to the matters raised in this letter by 4 February 1994. If you have any queries on matters raised in this letter, please contact Bruce Matthews on 828 7443.

Yours sincerely



John MacMahon
General Manager
Consumer Affairs

cc Mr A. Smith



AUSTRALIAN TELECOMMUNICATIONS AUTHORITY

94 / 0 2 6 9 - 0
165

94/0269

1 December 1994

Mr T Benjamin
National Manager
Customer Response Unit
TELECOM

Facsimile No: (03) 634 8441

Dear Mr Benjamin

**CHARGING DISCREPANCIES RECORDED BY ALAN SMITH, SHORT DURATION
CALLS ON 008 SERVICES AND ALAN SMITH'S ARBITRATION**

This letter is provided in response to your letter dated 11 November 1994 entitled "Charging Discrepancies Recorded by Alan Smith and Issues Related to Short Duration Calls on 008 Services."

I consider that the fundamental issue raised in your letter is your statement:

If the information requested is provided to you outside of the approved Arbitration Rules, other parties to the Fast Track Arbitration Procedure may also seek information through you and expect answers in like manner. I believe that this will prove dysfunctional to an orderly and manageable arbitration process and could possibly lead to its breakdown. It would also involve Telecom in breaking its confidentiality undertaking under the Fast Track Arbitration Rules.

My response to this statement is as follows. AUSTEL can not disregard issues of concern which come to our attention because these **may** be the subject of arbitration. I note that AUSTEL is not a party to the Fast Track Arbitration Procedures and is therefore not aware of the specific issues which have been raised in this process. Furthermore, under the Fast Track Arbitration Procedure there is a mechanism for dealing with the disclosure of confidential information, as follows:

If there is any disclosure of any part of the subject matter or the conduct of the Procedure, the Confidential Information or the Arbitrator's award by either party, then the Arbitrator may take such steps as he thinks appropriate including the dismissal of the claim in the event of a disclosure by the claimant.

If Telecom wishes to take up the issue of any disclosure of confidential information which may have occurred or **which may in the future occur** under the "Fast Track" Arbitration Procedure then this should be taken up with the Arbitrator of this Procedure. The Procedure itself has mechanisms for ensuring an "orderly and manageable arbitration process" is followed. If Telecom has concerns that the Procedure is becoming unmanageable for reasons of disclosure of confidential information then these should be raised with the Arbitrator, not AUSTEL. This general advice also applies to issues of disclosure of confidential information in the Arbitration Procedures for the "COT 12" and the pending General Arbitration Procedures to be administered by the TIO.

AUSTEL still requires an answer to the issues raised in my letter of 4 October 1994, and requests that an answer to all the issues be provided by 15 December 1994.

I note that your letter states that "Each of the questions put by you in your letter of 4 October 1994 will be answered as part of Telecom's defence to Mr Smith's claim lodged under the Fast Track Arbitration Procedure." As AUSTEL has not sought information and is not aware of any of the details of Mr Smith's claims under the Fast Track Arbitration Procedure, I was therefore not aware until I received your letter that Mr Smith has raised all of the specific issues identified in my letter. I suggest that in future Telecom not divulge information of this nature to AUSTEL on any matters raised by AUSTEL which are matters raised in arbitration. This in itself could be regarded as disclosing information which is confidential under the arbitration process.

In the current situation where it is possible that both parties to the Fast Track Arbitration Procedure have divulged information to AUSTEL which details issues raised in this Procedure I propose to take the following course of action. AUSTEL will write to the Arbitrator enclosing copies of correspondence on this matter. AUSTEL will seek confirmation from the Arbitrator that Mr Smith has raised the issues detailed in my letter. Should the Arbitrator confirm that these issues have been raised then AUSTEL will not provide a response to Mr Smith on them, as he will have received this response through the Arbitration Process. AUSTEL will inform Mr Smith of AUSTEL's actions in this regard. Should the Arbitrator fail to provide any information

on whether these issues have been raised under arbitration, or deny that all these issues have been raised by Mr Smith, then AUSTEL will write to Telecom further on this matter. I note that under the Fast Track Arbitration Procedure the Arbitrator does not become involved in assessing the detail of the claimant's submission until Telecom has provided its response to that submission, therefore the Arbitrator may not be in a position to provide a rapid response to AUSTEL's letter.

I must emphasise that AUSTEL is not seeking to prejudice Mr Smith's arbitration. The issues raised by Mr Smith, however, concern matters which potentially affect a considerable number of Telecom's customers and it is on this basis that AUSTEL has taken up these issues. It is also the stated reason why Mr Smith raised these issues with AUSTEL in his 3 October 1994 letter, as he "Thought this information might be of concern to AUSTEL". In this context, I note that my 4 October 1994 letter also raises the concerns of another Telecom customer, Mr Jason Boulter, regarding the operation of his 008 service. In addition, concerns on the general operation of Telecom's 008 service have recently been raised with AUSTEL by the Federal Member for Wannon, Mr David Hawker. The issues raised by Mr Hawker will be the subject of a separate letter to Mr Steve Black, but information you provide in response to my 4 October 1994 letter may well form part of AUSTEL's response to Mr Hawker.

In summary, the issues raised in my 4 October 1994 letter are of concern to AUSTEL, and will remain of concern until Telecom provides a response to AUSTEL which AUSTEL considers allays this concern.

On another matter, thank you for your offer to provide information on the general principles of the operation of Telecom's 008 service. I would like to take up this offer once you have responded to the issues raised in this letter.

Yours sincerely



Bruce Matthews
Consumer Protection

16 December 1994

F A X E
16.12.1994

Telecom
AUSTRALIA

Customer Response Unit
Commercial & Consumer

Level 37
242 Exhibition Street
Melbourne Vic 3000
Australia

Telephone 03 634 2977
Facsimile 03 632 3235

Dr Gordon Hughes
Hunt & Hunt

By facsimile: (03) 614 8730

Dear Sir,

Fast Track Arbitration Procedure - Smith

Please find enclosed a copy of the following documents:

1. Letter dated 4 October 1994 from Austel to Telecom.
2. Letter dated 11 November 1994 from Telecom to Austel.
3. Letter dated 1 December 1994 from Austel to Telecom.

You will note from the correspondence that Austel has requested Telecom to provide information relating to charging discrepancies reported by Mr Smith for short duration calls on his 008 service. These issues form part of the subject matter of Mr Smith's claim under the Fast Track Arbitration Procedure.

In light of clauses 16-19 of the arbitration procedure which prohibit the disclosure of confidential information, Telecom is reluctant to provide Austel with this information.

You will note from Austel's letter of 1 December 1994 that Austel still requires Telecom to provide this information and states that "[it] will seek confirmation from the Arbitrator that Mr Smith has raised the issues detailed in [his] letter. Should the Arbitrator confirm that these issues have been raised then Austel will not provide a response to Mr Smith on them...and will inform Mr Smith of Austel's actions in this regard".

L69036

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Telecom wishes to comply with Austel's request for information and seeks your views as to whether you would consider the provision of this information to Austel has the potential to breach the Fast Track Arbitration Procedure. The question has also been raised of whether discussion between yourself and Austel on the content of the claim and defence in Mr Smith's arbitration might itself breach the confidentiality rules of the Fast Track Arbitration Procedure.

The simplest way forward may be for Mr Smith and Telecom and yourself to all confirm in writing that this information can be provided to Austel if this meets with your approval.

Yours faithfully,



Ted Benjamin
National Manager
Customer Response Unit

L69037

Date	Time	Reported By	Fault Details
21/7/92	1655	Tony Guigay 693 7455 PABX Section	680 9288 (TBS (Telecom) Foots complain of OS frequently. (i) Few seconds after operator answered. (ii) Few seconds after extension answers call redirected by Operator. Happened from { 380 2622 329 2522 } PABX test all I/D cts and can't fail. Fault occurring since Mon 20/2

6/7/92	23:0900	Ian Knox PABX Gt 693 7260	781 2144 (Target Frankston) calling 364 9555 (and Leggo) intermittently receive Ans No Voice. Outgoing line from 781 2144 test OK 364 9555 & line tested & OK. PTARS 364 9188 364 Sunshine RSSD.
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10	24/7/92	GOLDEN STOKES PORTLAND 055 23067	GOLDEN STOKES 055 23067 RANG, SUB 055-267267 COMPLAINING PEOPLE KING HIM GET KVA MESSAGE "SERVICE DISCONNECTED". LATEST REPORT 22/07/92 FROM STATION PIER PT NEAL WHERE "ANSEL TASMAN PERTHS" SIMILAR FAULT REPORTED FKS SEQ 327 17/03/92. SUB VERY IRRATE LAUNCHED LEGAL ACTION. BALLARNT OSC HAS BEEN INVOLVED. NETWORK INVESTIGATION SHOULD HAVE BEEN BOUGHT IN AS FAULT HAS COME ON FOR 8 MONTHS
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AUSTRALIAN TELECOMMUNICATIONS AUTHORITY

9 June 1993

Mr Dennis Hambleton
Director, Regulatory
Telstra

Facsimile No: (03) 634 8880

Dear Mr Hambleton

You are probably aware of the case of Mr Alan Smith, one of the "COT cases" and proprietor of the Cape Bridgewater Holiday Camp. Mr Smith last year agreed to settle his claims against Telecom on the basis that a service of normal network standards would be guaranteed.

Since that time Mr Smith claims to have been constantly plagued by faults ranging from no ring, short ring, ringing out, engaged, recorded message and now claims to be subject to charging anomalies. He has had very frequent contact with AUSTEL on these matters.

In addition, he alleges that he was misinformed at the time of settlement (and subsequently) and led to believe that the problems he was experiencing were unique in the area. He now claims to have copies of Telecom network investigation working documents which clearly indicate that these problems in the network were far more widespread in the area. He claims that he was also advised that the problem whereby callers had been confronted with a recorded voice had occurred only over a period of two days - later said to be no more than three weeks. He now claims that Telecom records show this to be six weeks and possibly much longer.

Further he claims that the Telecom documents contain network investigation findings which are distinctly different from the advice which Telecom has given to the customers concerned.

In summary, these allegations, if true, would suggest that in the context of the settlement Mr Smith was provided with a misleading description of the situation as the basis for making his decision. They would also suggest that the other complainants identified in the folders have knowingly been provided with inaccurate information.

I ask for your urgent comment on these allegations. You are asked to immediately provide AUSTEL with a copy of all the documentation which was apparently inadvertently left at Mr Smith's premises for its inspection. This, together with your comment, will enable me to arrive at an appropriate recommendation for AUSTEL's consideration of any action it should take.

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5 QUEENS ROAD, MELBOURNE, VICTORIA
POSTAL: P.O. BOX 7443, ST KILDA RD, MELBOURNE, VICTORIA, 3004
TELEPHONE: (03) 828 7300 FACSIMILE: (03) 820 3021

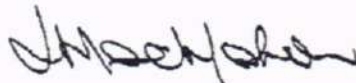
25 JUN '93 17:19 AUSTRAL MELB 61 3 8203021

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As to Mr Smith's claimed continuing service difficulties, please provide a statement as to whether Telecom believes that Mr Smith has been provided with a telephone service of normal network standard since the settlement. If not, you are asked to detail the problems which Telecom knows to exist, indicate how far beyond network standards they are and identify the cause/causes of these problems.

In light of Mr Smith's claims of continuing service difficulties, I will be seeking to determine with you a mechanism which will allow an objective measurement of any such difficulties to be made.

Yours sincerely



John MacMahon
General Manager
Consumer Affairs

024 P01

CAPE-BRIDGEWATER

93-06-09 17:04 055 267230

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Melbourne, August. 12. 1993

Dear Mr Smith.

I tried to ring you in order to confirm our stay at your camp site. However when I did this I found it impossible to get through since it was engaged for several hours. I tried to ring again later but encountered the same signals, on the 10th of August around 7 P.M. to 8.30 P.M. -

I believe you have a problem with the exchange and strongly advise you contact Telecom

• Do you remember the same problem happens on April and May?

I apologise but I have made arrangements with another camp.

Yours sincerely

Ida Espinoza.

: Doncaster: Smith

1920 17/6.

Tried to ring over a long
period of time

055267267 — never
seem to be there.

(Elisie 723-6994
Rita Stenoya. 848-9482

Maybe about last 3 weeks or
a month.

Only uses Answering Machine after
5 pm.

Normally girl at premises. If
Smith is in Melbourne. When she
leaves at 5.30 then answering machine
goes on

K03870